

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY OLSON,	:	Civil No. 1:21-CV-387
	:	
Petitioner,	:	
	:	
v.	:	
	:	
SCOTT FINLEY,	:	
	:	
Respondent.	:	Judge Sylvia H. Rambo

ORDER

Before the court are Petitioner’s Objections (Doc. 11) to Magistrate Judge Martin Carlson’s Report and Recommendation (Doc. 10) recommending Petitioner’s Petition for Writ of Habeas Corpus and Motion for Enlargement (Doc. 1) be denied. “When objections are timely filed to the report and recommendation of a magistrate judge, the district court must review de novo those portions of the report to which objections are made,” while reviewing the remainder for clear error. *Weidman v. Colvin*, 164 F. Supp. 3d 650, 653 (M.D. Pa. 2015) (internal citations omitted).

Petitioner’s only substantive objection is that the R&R erred in finding that Petitioner, as a *pro se* litigant, could not serve as a class representative. As the Third Circuit has noted, however, “it is well settled that pro se inmates are not permitted to represent a class of litigants.” *Mincy v. Deparlos*, 497 F. App’x 234, 238 n. 3 (3d Cir. 2012) (citing *Hagan v. Rogers*, 570 F.3d 146, 159 (3d Cir. 2009)). Thus, this

objection fails as a matter of law and will be overruled. Petitioner also raises multiple factual and legal objections, but they boil down to *ad hominem* and pejorative attacks. (See Doc. 11, p. 1 (“Judge Carlson, who works for the Department of [J]ustice . . . appears to be biased in his findings.”), p. 2 (“The bias this Judge is exhibiting is very clear. . . [I]t is all the lies told by the Warden and the BOP.”), p. 3 (“Judge Carlson is ignoring all evidence presented by the petitioners. . . This is corruption at a high level.”)) Because such objections “make absolutely no meritorious legal attack on the Magistrate Judge’s recommendations,” instead relying on “*ad hominem* attacks,” the court “shall not address the inarticulate and unavailing arguments contained therein.” *Cluck-U Corp. v. Docson Consulting, LLC*, No. 1:11-CV-1295, 2011 WL 4072987, at *2 (M.D. Pa. Sept. 13, 2011). Absent Petitioner’s objections, the remainder of the R&R lacks any clear error.

As such, the R&R’s recommendations are hereby **ADOPTED**. Petitioner’s request for class certification, Petition for Writ of Habeas Corpus, and alternative Motion for Enlargement, are hereby **DENIED**. The Clerk of Court is therefore **ORDERED** to **CLOSE** this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: July 21, 2021